

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

WILLIAM A. PARRISH, JR., :
Petitioner,

v. : Case No. 3:16-cv-486

LYNEAL WAINWRIGHT, Warden,
Marion Correctional Institution, :
Respondent.

JUDGE WALTER H. RICE

DECISION AND ENTRY ADOPTING UNITED STATES MAGISTRATE
JUDGE'S REPORT AND RECOMMENDATIONS (DOC. #75);
OVERRULING PETITIONER'S OBJECTIONS THERETO (DOC. #76);
OVERRULING PETITIONER'S MOTION TO ALTER OR AMEND
JUDGMENT PURSUANT TO FRCP 59(e) (DOC. #74); DENYING
CERTIFICATE OF APPEALABILITY AND LEAVE TO APPEAL *IN
FORMA PAUPERIS*; JUDGMENT TO ENTER IN FAVOR OF
RESPONDENT AND AGAINST PETITIONER; CASE TO REMAIN
TERMINATED ON DOCKET

Based on the reasoning and citations of authority set forth by United States
Magistrate Judge Michael R. Merz in his Report and Recommendations on Motion
to Alter or Amend the Judgment, Doc. #75, as well as upon a thorough *de novo*
review of this Court's file and the applicable law, the Court ADOPTS said judicial
filing in its entirety. For reasons explained in previous filings in this case,
Petitioner's Objections, Doc. #76, are OVERRULED as meritless. *See* Doc. #73.

The Court OVERRULES Petitioner's Motion to Alter or Amend Judgment
Pursuant to FRCP 59(e), Doc. #74.

Given that Petitioner has not made a substantial showing of the denial of a constitutional right and, further, that the Court's decision herein would not be debatable among reasonable jurists, and because any appeal from this Court's decision would be objectively frivolous, Petitioner is denied a certificate of appealability, and is denied leave to appeal *in forma pauperis*.

Judgment will be entered in favor of Respondent and against Petitioner.

The captioned case shall remain terminated upon the docket records of the United States District Court for the Southern District of Ohio, Western Division, at Dayton.

Date: July 8, 2020



WALTER H. RICE
UNITED STATES DISTRICT JUDGE

(tp - per Judge Rice authorization
after his review)